

**MINUTES
UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

May 30, 2007

**Room 474-4th Floor-9:00 A.M.
Heber Wells Building
160 East 300 South
Salt Lake City, Utah**

CONVENED: 9:00 AM

ADJOURNED: 11:00 AM

DOPL STAFF

F. David Stanley, *Director*
Dennis Meservy, *Bureau Manager*
Wayne Holman, *Investigations Supervisor*
Yvonne King, *Commission Secretary*
Lenore Epstein, *Attorney General's Office*

MEMBERS PRESENT

Bradley Stevens, *Chairman & Electrical Board Chairman*
Floyd Jackson
Wendy Gibbs
John Wilcox
Larry Love, *Burglar Alarm Board Chairman*
Joel (Marty) Jolley
Steve Bowers
Robert Dudley, *Plumber's Board Chairman*
Carl Tippetts

VISITORS

Erik Eastlyn, *Contractor's School*
Sarah Engebretson, *Utah Contactor Center*
Ross Ford, *Home Builders Association*
Daniel Zerba, *D-N-A builders*

MINUTES

John Wilcox made a motion to approve the minutes for the April 2007 Commission Meeting. Larry Love seconded the motion and all members voted in favor.

**PROPOSED CONTINUING
EDUCATION CHANGES**

Dennis Meservy presented proposed changes to the continuing education administrative rule. Steve Bowers expressed concern about the change requiring just the qualifier to take the continuing education.

The commission appeared to favor the present rule that allows the continuing education to be taken by the licensee, or the licensee's qualifier, or an officer, director or supervising individual, as designated by the licensee. Lenore Epstein said the suggested administrative rule change for continuing education required approval of the continuing education providers, but this was contrary to the current statute. David Stanley stated the rule change appeared to exceed the authority of the commission. Epstein is to review the changes and report back to the commission. The commission expressed support for both continuing education and increasing the required number of hours.

Meservy stated the previous administrative rule changes approved by the commission and submitted to the Department of Commerce for review lacked language to handle the switching of current license holders into other classifications due to the creation or elimination of license classifications. Any new language addressing the issue would have to be approved by the commission. The earliest a hearing could be held before the commission on these proposed rules would be July.

INVESTIGATIONS

Wayne Holman submitted a report on criminal misdemeanor filings, criminal felony filings, administrative filings, citation fines, administrative fines, cases received, cases assigned, cases closed, citations issued, site surveys, building inspectors contacts, MHRV inspections, owner/builder permits received, owner/builder investigations and letters of warning. This report gave a comparison for the years 2003 to April of 2007. Holman stated a recent visit was made to the Lake Side Power Plant in Utah County. Electricians doing work on the plant were exempt from licensing requirements. The legislature, however, this year removed the exemption. No action will be taken. The change in the law is new. The electrical work is approximately thirty days out from being completed and the work now being done mostly appears to be low voltage, which does not require licensing. The legislature this year also granted DOPL citation enforcement authority for building inspectors.

DISPLINARY REVIEW

Daniel Karl Zerba
D-N-A Builders, Inc.

Daniel Zerba came before the commission to request approval to have a general building contractor's license. According to documentation provided to the Division, Respondent, between 1999 and 2005, was convicted of different misdemeanor criminal offenses. Alcohol and illegal substance abuse contributed to the convictions. Zerba stated he has been clean and sober for the last 2 ½ years and is remarried and has settled down. Respondent shall be issued a probationary license for a term of three years beginning on the date the commission signs the order subject to the terms and conditions listed on the memorandum. John Wilcox made a motion to approve the memorandum. Love seconded the motion and all members voted in favor.

Michael Brian Nelson

Meservy presented a default order to revoke the burglar alarm company agent license for Michael B. Nelson. Love made a motion to approve the default order to revoke the license. Robert Dudley seconded the motion and all members voted in favor.

All business concluded meeting adjourned.

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.

(ss) Bradley Stevens	06/27/07
Bradley Stevens , Commission Chairman	Date:

(ss) Dennis Meservy	06/27/07
Dennis Meservy, Bureau Manager Signature	Date: